

Joint Standing Committee on Transportation

LD 726

An Act to Increase the Bonding Limits of the Maine Turnpike Authority

PUBLIC 646

Sponsor(s)
JOYCE

Committee Report
OTP-AM

Amendments Adopted
H-922

LD 726 proposed to establish a \$100,000,000 bonding limit for the sole purpose of paying the cost of widening all or any portion of the Maine Turnpike between Exits 1 and 6-A from 2 lanes of travel in both directions to 3 lanes of travel in both directions.

Committee Amendment "A" (H-922) proposed to increase the amount of bonds of the Maine Turnpike Authority which may be outstanding for any lawful purpose of the authority from \$116,000,000 to \$170,000,000 and provide that the bonding limit for paying the cost of widening all or any portion of the Maine Turnpike between Exits 1 and 6-A be \$41,000,000. The amendment also proposed to make technical corrections to the bill.

Enacted law summary

Public Law 1997, chapter 646 increases the amount of bonds of the Maine Turnpike Authority which may be outstanding for any lawful purpose of the authority from \$116,000,000 to \$170,000,000 and provides that the bonding limit for paying the cost of widening all or any portion of the Maine Turnpike between Exits 1 and 6-A is be \$41,000,000.

LD 757

An Act to Create Graduated Licenses

ONTP

Sponsor(s)
JOYNER
BENNETT

Committee Report
ONTP

Amendments Adopted

LD 757 proposed to establish graduated driver's licenses under which certain restrictions would apply to young drivers.

LD 1594

Resolve, to Create the Commission to Study Establishing a Rail Authority to Develop Rail Service from Calais to Eastport and Brewer

RESOLVE 104

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	OTP-AM	H-925 H-946 GOODWIN

LD 1594 proposed to create the Calais to Eastport Rail Authority to establish freight rail service between Calais and Eastport. The bill proposed to transfer to the authority the Department of Transportation's interest in the existing rail line between Calais and Ayers Junction. It also proposed to transfer the Department of Transportation's interest in the existing rail line between Ayers Junction and the Hancock County line to those municipalities through which the line runs. The bill also proposed a \$4,500,000 million bond issue for use by the authority in establishing freight rail service between Calais and Eastport.

Committee Amendment "A" (H-925) proposed to replace the bill. It proposed to create the Commission to Study Establishing a Rail Authority to Develop Rail Service from Calais to Eastport and Brewer. The commission would study the potential uses of rail service from Calais to Eastport and Brewer along existing railroad rights-of-way owned by the State. It would also make projections as to the volume of traffic along a developed railway, estimate the costs of developing the rights-of-way and review methods of funding and implementing the development of the rights-of-way. The commission would also make recommendations regarding whether a public authority should be established to fund and implement the development of the rights-of-way. The commission would be required to report to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 1999. It also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-946) proposed changing the members on the commission to include one member, not 3, representing an economic development agency.

Enacted law summary

Resolve 1997, chapter 104 creates the Commission to Study Establishing a Rail Authority to Develop Rail Service from Calais to Eastport and Brewer. The commission must study the potential uses of rail service from Calais to Eastport and Brewer along existing railroad rights-of-way owned by the State. It must also make projections as to the volume of traffic along a developed railway, estimate the costs of developing the rights-of-way and review methods of funding and implementing the development of the rights-of-way. The commission must also make recommendations regarding whether a public authority should be established to fund and implement the development of the rights-of-way. The commission must report to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 1999.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DRISCOLL	OTP-AM	H-930 S-766 O'GARA

LD 1939 proposed to do the following.

1. Define "reconstructed motorcycle."
2. In the Maine Revised Statutes, Title 29-A, section 152, give the Secretary of State statutory authority to assign a new identification number to owner-assembled motorcycles whose component parts, as defined by Title 29-A, §602, subsection 2, are new, used or a mixture of new and used.
3. Allow municipal agents to issue new registrations for trucks with a gross weight of up to 9,000 pounds without the further training described in Title 29-A, section 201, subsection 2, paragraph C, subparagraph (2).
4. Provide for a new issuance of all motor vehicle dealer plates.
5. Remove the height restrictions for the word "Vacationland."
6. Clarify that vanity plates may not be duplicated in the same vehicle class.
7. Increase the reserved number fee to \$15 to be consistent with the reserve plate fee.
8. Create a 25-year semitrailer registration.
9. Change the compliance date for reapplication for disability plates or placards from January 1, 1999 to January 1, 2001 and repeal the effective date of January 1, 1996.
10. Bring the reinstatement fee for a fuel use identification decal in line with other reinstatement fees within the Bureau of Motor Vehicles.
11. Add Title 29-A, section 562 to the list of motor carriers who are not exempt from the Motor Carrier Review Board.
12. Give the option to code certificates of title as rebuilt, repaired or salvage, even though the vehicle named on the title has not been declared a salvage vehicle.
13. Close a loophole whereby towing companies are currently issued ordinary certificates of title for total-loss vehicles so that the towing company is issued a certificate of salvage.
14. Require that the certificate of title for a repaired salvage vehicle must show the legend "repaired" on its face.
15. Change the number of days that a lienholder has to execute a release of the security interest.
16. Define "recycler."

17. Make the annex and secondary location license fees for recyclers consistent with other types of dealer annex and secondary location fees.
18. Clarify that an operator accompanying a holder of a driver's permit must adhere to all restrictions applied to that operator's driver's license when acting as an accompanying operator, and that an accompanying operator must be licensed to operate the class vehicle operated by the permittee.
19. Provide the Secretary of State with authority to require an accident-prone driver to obtain driving instruction and education in addition to or as an alternative to passing an operator's examination.
20. Permit the Secretary of State to authorize qualified persons to conduct motorcycle driver education instructor certification courses.
21. Clarify that identification signs and dual controls are not required on a vehicle provided by a person already in possession of a valid Maine driver's license or instruction permit when the vehicle is not provided by the driver education school.
22. Lower the property damage limits from \$300,000 to \$100,000 for licensed vehicle dealers.
23. Allow the Secretary of State to require an applicant for a school bus endorsement to activate the flashing red lights during a driving examination.
24. Authorize the suspension of a license for failure to provide a valid social security number on an application for, or renewal of, a driver's license.
25. Clarify that the minimum amount of liability insurance necessary for participation in the ignition interlock device program is \$300,000 single limit.

Committee Amendment "A" (H-930) proposed to make several changes and additions to the bill.

Senate Amendment "A" (S-766) proposed to require the Commissioner of Transportation to establish, by rule, the Adopt-A-Highway Program in Maine under which organizations may participate in beautification efforts on all state highways. It also proposed to allow the Commissioner of Transportation to permit signs identifying participants in the program.

Enacted law summary

Public Law 1997, chapter 776 does the following.

1. It defines "reconstructed motorcycle."
2. In the Maine Revised Statutes, Title 29-A, section 152, it gives the Secretary of State statutory authority to assign a new identification number to owner-assembled motorcycles whose component parts, as defined by Title 29-A, §602, subsection 2, are new, used or a mixture of new and used.
3. It allows municipal agents to issue new registrations for trucks with a gross weight of up to 9,000 pounds without the further training described in Title 29-A, section 201, subsection 2, paragraph C, subparagraph (2).
4. It removes the height restrictions for the word "Vacationland."

5. It clarifies that vanity plates may not be duplicated in the same vehicle class.
6. It increases the reserved number fee to \$15 to be consistent with the reserve plate fee.
7. It creates a 25-year semitrailer registration.
8. It changes the compliance date for reapplication for disability plates or placards from January 1, 1999 to January 1, 2001 and repeals the effective date of January 1, 1996.
9. It brings the reinstatement fee for a fuel use identification decal in line with other reinstatement fees within the Bureau of Motor Vehicles.
10. It adds Title 29-A, section 562 to the list of motor carriers who are not exempt from the Motor Carrier Review Board.
11. It gives the option to code certificates of title as rebuilt, repaired or salvage, even though the vehicle named on the title has not been declared a salvage vehicle.
12. It closes a loophole whereby towing companies are currently issued ordinary certificates of title for total-loss vehicles so that the towing company is issued a certificate of salvage.
13. It requires that the certificate of title for a repaired salvage vehicle must show the legend "repaired" on its face.
14. It changes the number of days that a lienholder has to execute a release of the security interest.
15. It defines "recycler."
16. It makes the annex and secondary location license fees for recyclers consistent with other types of dealer annex and secondary location fees.
17. It clarifies that an operator accompanying a holder of a driver's permit must adhere to all restrictions applied to that operator's driver's license when acting as an accompanying operator, and that an accompanying operator must be licensed to operate the class vehicle operated by the permittee.
18. It provides the Secretary of State with authority to require an accident-prone driver to obtain driving instruction and education in addition to or as an alternative to passing an operator's examination.
19. It permits the Secretary of State to authorize qualified persons to conduct motorcycle driver education instructor certification courses.
20. It clarifies that identification signs and dual controls are not required on a vehicle provided by a person already in possession of a valid Maine driver's license or instruction permit when the vehicle is not provided by the driver education school.
21. It lowers the property damage limits from \$300,000 to \$100,000 for licensed vehicle dealers.
22. It allows the Secretary of State to require an applicant for a school bus endorsement to activate the flashing red lights during a driving examination.

23. It authorizes the suspension of a license for failure to provide a valid social security number on an application for, or renewal of, a driver's license.
24. It provides that a motor vehicle record bearing the seal of any state or of a department, officer or agency of any state that is admissible pursuant to the Maine Rules of Evidence, Rule 902 is prima facie evidence in any judicial or administrative proceeding of any fact stated in the motor vehicle record. This change would extend the investigators' authority to deal with inspection laws as they relate to the sales of vehicles by licensed dealers.
25. It allows for a new dealer plate issue in the year 1999.
26. It provides a process for the issuance of specialty license plates.
27. It makes a technical change to statutes regarding registration and excise tax evasion.
28. It changes the expiration of fuel decals for trucks used exclusively in Maine from December 31st to June 30th. It provides for a one-time transition where decals issued for 1999 would remain valid until June 30, 2000. The fee is prorated.
29. It clarifies that all motor carriers are subject to the provisions of the Motor Carrier Review Board.
30. It reduces the title fee from \$15 to \$10 for those trailers that register under the semipermanent or permanent registration program.
31. It allows the Secretary of State a broader range of discretion when reviewing criminal history prior to the issuance of motor vehicle dealer licenses.
32. It adds to the definition of a motor vehicle dealer a person who advertises in any form 3 or more vehicles for sale or displays 3 or more vehicles for sale within a 30-day period on premises controlled by that person.
33. It exempts mobile home dealers from the heavy trailer dealer plates and licensing requirement. If a mobile home dealer wishes to hold trailer dealer plates, all requirements must be met before the license is issued.
34. It requires a dealer to maintain for 5 years after the sale of a vehicle copies of titles, transfers and other documents used for titling purposes for that vehicle.
35. It allows the Secretary of State a broader range of discretion when reviewing criminal history prior to the issuance of motor vehicle recycler licenses.
36. It extends medical payment coverage to all motor vehicle liability policies to ensure consistency with other provisions of the financial responsibility laws.
37. It increases the legal liability limits requirements from \$100,000 to \$300,000 for licensed dealers.
38. It allows the Commissioner of Transportation to enter into more than one agreement regarding regional overdimensional truck permits. It also authorizes the commissioner to pursue a consolidated multistate overdimensional or overweight permit for permittees.

39. It allows a truck tractor with a semitrailer access to service facilities within one mile of the highway network and the access system upon which that vehicle is allowed.
40. It provides that the prosecution in an OUI case is not required to produce expert testimony regarding the functioning of self-contained breath-alcohol testing apparatus before the test results are admissible, if sufficient evidence is offered.
41. It clarifies that revocation of a license to operate a motor vehicle under former Maine Revised Statutes, Title 29 remains in effect under Title 29-A.
42. It clarifies that a notice of a license suspension or revocation must include notice that a copy of the report of the law enforcement officer and any blood-alcohol test certificate will be provided to a person upon request to the Secretary of State only in cases where the person's license is suspended or revoked pursuant to an administrative action.
43. It requires the Commissioner of Transportation to establish, by rule, the Adopt-A-Highway Program in Maine under which organizations may participate in beautification efforts on all state highways. It also allows the Commissioner of Transportation to permit signs identifying participants in the program.

LD 1947

An Act to Improve Traffic Safety

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAND TRIPP	ONTP	

LD 1947 proposed to permit the use of evidence obtained from unmanned, automatic cameras to prosecute and prove traffic violations. The owner of the vehicle would have been rebuttably presumed to be the violator. Evidence from the cameras could also have been used in other legal actions.

LD 1979

Resolve, Requiring the State to Reimburse Towns for the Construction of Salt and Sand Storage Facilities

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	ONTP MAJ OTP-AM MIN	

LD 1979 proposed to require the State to reimburse to municipalities, by December 31, 1998, the State's share of the costs of salt and sand storage facilities that were constructed by municipalities and approved by the Department of Transportation prior to January 1, 1998.

Committee Amendment "A" (H-796) proposed to correct a cross-reference error in the resolve and add an appropriation and a fiscal note to the resolve.

Committee Amendment "A" to House Amendment "A" (H-807) requires the State to commit funds to reimburse to municipalities the State's share of the costs of salt and sand storage facilities that are classified by the

Department of Environmental Protection as Priority 3. The amendment also requires the State to reimburse to municipalities the State's share of the costs of salt and sand storage facilities that were constructed by municipalities prior to January 1, 1998 for projects classified as Priority 4 and 5.

LD 1981 **An Act to Amend Road Signs along I-95 and the Maine Turnpike to Indicate the Location of Full-service Gas Stations by Using the Handicap Access Symbol** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DRISCOLL O'GARA	ONTP	

LD 1981 proposed to require the handicap access symbol be placed on signs on the Interstate Highway System and the Maine Turnpike to indicate the availability of full-service gas stations.

LD 1982 **An Act to Name a Highway in Burnham in Honor of Medal of Honor Recipient Corporal Clair Goodblood** **P & S 62**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCELROY	OTP-AM	H-799

LD 1982 proposed to name the section of Route 100 that passes through the Town of Burnham the Corporal Clair Goodblood Memorial Highway in memory of Medal of Honor recipient Corporal Clair Goodblood, who was killed in action April 25, 1951 in Korea. It also proposed to appropriate \$4,000 to partially fund the construction of a memorial in Burnham in honor of Corporal Goodblood.

Committee Amendment "A" (H-799) proposed to strike from the bill a General Fund appropriation to partially fund the construction of a memorial to Corporal Clair Goodblood. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Private and Special Law 1997, chapter 62 names the section of Route 100 that passes through the Town of Burnham the Corporal Clair Goodblood Memorial Highway in memory of Medal of Honor recipient Corporal Clair Goodblood, who was killed in action April 25, 1951 in Korea.

LD 1986**Resolve, to Name the Newly Constructed Route 2 Palmyra Bridge
in Memory of Trooper Thomas J. Merry****RESOLVE 88
EMERGENCY**

<u>Sponsor(s)</u>
STEDMAN
MITCHELL B

<u>Committee Report</u>
OTP

<u>Amendments Adopted</u>
H-785 STEDMAN

LD 1986 proposed to name the newly constructed bridge on Route 2 in Palmyra in memory of Maine State Trooper Thomas Merry.

House Amendment "A" (H-785) proposed to add the middle initial in the name of Maine State Trooper Thomas J. Merry.

Enacted law summary

Resolve 1997, chapter 88 names the newly constructed bridge on Route 2 in Palmyra in memory of Maine State Trooper Thomas J. Merry. Chapter 88 was enacted as an emergency measure effective February 25, 1998.

LD 2013**An Act to Broaden the Farm Stand Exemption****PUBLIC 635**

<u>Sponsor(s)</u>
FERGUSON

<u>Committee Report</u>
OTP-AM MAJ
ONTP MIN

<u>Amendments Adopted</u>
S-515

LD 2013 proposed to expand by one month the period during which a grower of fresh fruit and vegetables may erect signs along public ways advertising the fresh fruit and vegetables available at the grower's farm. The bill proposed the period run from May 15th to November 1st. The bill also proposed to allow owners or operators of greenhouses to erect signs along public ways during the period from February 1st to December 25th.

Committee Amendment "A" (S-515) proposed to replace the bill. It proposed to allow a producer of an agricultural product to erect signs on private property between May 1st and December 31st that advertise products that are grown, produced and sold on the premises of the producer. If a producer's operation fronted a state highway, the producer could not erect a sign on that state highway. The producer would be limited to 4 signs and the signs would have to be located within 5 miles of the producer's location. The signs would have to be directional in nature and advertise only the agricultural products available for immediate purchase. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 635 allows a producer of an agricultural product to erect signs on private property between May 1st and December 31st that advertise products that are grown, produced and sold on the premises of the producer. If a producer's operation fronts a state highway, the producer may not erect a sign on that state highway. The producer is limited to 4 signs and the signs must be located within 5 miles of the producer's location. The signs must be directional in nature and advertise only the agricultural products available for immediate purchase.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA	OTP-AM	S-498

LD 2031 proposed to amend the motor vehicle laws as follows.

1. Add to the list of Parts of 49 Code of Federal Regulations adopted by reference as Maine rules by the Commissioner of Public Safety and the Bureau of State Police 2 additional Parts that had inadvertently not been included to date.
2. Clarify that a center lane clearly marked for turning traffic may not be used for passing.
3. Clarify that a person who a law enforcement officer has probable cause to believe has committed or is committing a violation of the motor vehicle laws must provide the person's correct name, address and date of birth to an officer.
4. Prohibit motor vehicle operators from stopping or parking on certain portions of limited-access highways.
5. Prohibit leaving the pavement or the main traveled portion of a way when passing a vehicle on the left.
6. Make the venue for the violation of refusing to sign a Uniform Summons and Complaint or Violation Summons and Complaint the same as the venue for the original violation.

Committee Amendment "A" (S-498) proposed to:

1. Amend the definition of antique auto.
2. Add to the motor vehicle laws a definition of "motorized wheelchair."
3. Provide an exemption to the requirement that vehicle operators turn off fog lights and auxiliary lights when approaching or following another if the lights are installed at the time of manufacture.
4. Prohibit a person traveling on a limited-access highway from parking a vehicle on a traffic lane, deceleration lane, acceleration lane, or on a bridge or on the left shoulder of the traffic lanes.

Enacted law summary

Public Law 1997, chapter 653 amends the motor vehicle laws as follows:

1. It adds to the list of Parts of 49 Code of Federal Regulations adopted by reference as Maine rules by the Commissioner of Public Safety and the Bureau of State Police 2 additional Parts that had inadvertently not been included to date.
2. It clarifies that a center lane clearly marked for turning traffic may not be used for passing.

3. It clarifies that a person who a law enforcement officer has probable cause to believe has committed or is committing a violation of the motor vehicle laws must provide the person's correct name, address and date of birth to an officer.
4. It prohibits leaving the pavement or the main traveled portion of a way when passing a vehicle on the left.
5. It makes the venue for the violation of refusing to sign a Uniform Summons and Complaint or Violation Summons and Complaint the same as the venue for the original violation.
6. It amends the definition of antique auto.
7. It adds to the motor vehicle laws a definition of "motorized wheelchair."
8. It provides an exemption to the requirement that vehicle operators turn off fog lights and auxiliary lights when approaching or following another if the lights are installed at the time of manufacture.
9. It prohibits a person traveling on a limited-access highway from parking a vehicle on a traffic lane, deceleration lane, acceleration lane, or on a bridge or on the left shoulder of the traffic lanes.

LD 2037 **Resolve, Requiring the Department of Transportation to Construct a Full-service Rest Area on Interstate 95 30 Miles North of the Medway Rest Area** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROIS PARADIS	ONTP	

LD 2037 proposed to direct the Department of Transportation to construct and maintain a full-service rest area on Interstate 95 30 miles north of the rest area in Medway.

LD 2039 **Resolve, to Name the East Outlet Bridge the Richard Francis Lavigne Bridge** **RESOLVE 89**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES SL HALL	OTP	

LD 2039 proposed to rename the East Outlet Bridge on Route 15 in Sapling Township the Richard Francis Lavigne Bridge. Richard Francis Lavigne, of Greenville, was the first Moosehead Lake area casualty during World War II.

Enacted law summary

Resolve 1997, chapter 89 renames the East Outlet Bridge on Route 15 in Sapling Township the Richard Francis Lavigne Bridge. Richard Francis Lavigne, of Greenville, was the first Moosehead Lake area casualty during World War II.

LD 2055 An Act Regarding the Delayed Reregistration of Certain Trucks ONTP

<u>Sponsor(s)</u> BARTH	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2055 proposed to allow the proration of certain truck registration fees when a truck is removed from service for a period of time.

LD 2066 Resolve, Concerning Highway Construction in Aroostook County ONTP

<u>Sponsor(s)</u> PARADIS DONNELLY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2066 proposed to require the Department of Transportation to make and perform certain maintenance and construction along Route 11 in Aroostook County and Penobscot County and along Route 1 in Aroostook County.

LD 2109 An Act to Reduce Motor Vehicle Fatalities and Injuries among Young Drivers PUBLIC 737

<u>Sponsor(s)</u> MURRAY	<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN	<u>Amendments Adopted</u> H-1017 DRISCOLL S-563
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LD 2109 proposed to:

1. Increase from 16 years to 17 years the age for which driver education is necessary to obtain a license;
2. Raise from 18 years to 20 years the minimum age of the licensed driver who may supervise a driver permit holder during the permit period;
3. Require a driver permit holder to drive a minimum of 35 hours with a licensed operator, 20 years or older, during the permit period in order to obtain the experience needed to safely operate a vehicle. At least 5 of the 35 hours would need to be night driving. Licensed operators would be required to certify the number of hours of driving the permittee operated the vehicle with the licensed operator. A parent or guardian would be required to certify the permittee's completion of the additional 35 hours of required driving time;
4. Limit the number of passengers in a vehicle operated by a person under 21 years of age to the number of seatbelts in the vehicle;
5. Add an increased penalty of a 275-day license suspension for persons aged 21 years or older who operate a motor vehicle under the influence with juveniles under the age of 21 years;

6. Add an increased penalty of a 180-day license suspension for drivers under 21 years of age who operate a vehicle with passengers under 21 years of age while under the influence;
7. Add an increased penalty of a 275-day license suspension for persons who appear to be operating a motor vehicle under the influence with passengers under 21 years of age and who refuse to submit to an OUI test; and
8. Increase from one year to 2 years the term for which a provisional license is issued to new drivers under 21 years of age with respect to moving violations. With respect to operating under the influence, the provisional license would continue to remain in effect until the driver is 21 years of age.

Committee Amendment "A" (S-563), the majority report of the Committee on Transportation, proposed to clarify that a person 18 years of age or older is not required to complete a course in driver education to obtain an instruction permit. It also proposed to clarify who may certify instruction driving time under the hours proposed in the bill. It proposed that a 275-day additional suspension applies to an OUI violation that occurs when there is a passenger under 21 years of age in the vehicle. It proposed to change the application date of certain provisions in the bill relating to licenses from July 1, 1998 to August 1, 1998. It also proposed to allow a work-restricted license to be issued to a person who violates a juvenile provisional license by operating a vehicle with any level of blood alcohol, but only if the violation is a first offense. Current law allows the work-restricted license but does not specify the violation to be a first offense.

The amendment also proposed to add a fiscal note to the bill.

House Amendment "B" to Committee Amendment "A" (H-1017) proposed to specify that a spouse or employer is authorized to certify the required driving time of a person under the age of 18 who holds a driver's instruction permit.

Enacted law summary

Public Law 1997, chapter 737:

1. Increases from 16 years to 17 years the age for which driver education is necessary to obtain a license;
2. Raises from 18 years to 20 years the minimum age of the licensed driver who may supervise the permittee during the permit period;
3. Requires a permittee to drive a minimum of 35 hours with a licensed operator, 20 years or older, during the permit period in order to obtain the experience needed to safely operate a vehicle. At least 5 of the 35 hours must be night driving. Licensed operators must certify the number of hours of driving the permittee operated the vehicle with the licensed operator. A parent or guardian must certify the permittee's completion of the additional 35 hours of required driving time;
4. Limits the number of passengers in a vehicle operated by a person under 21 years of age to the number of seatbelts in the vehicle;
5. Adds an increased penalty of a 275-day license suspension for persons 21 years old or older who commit an OUI violation with juvenile passengers under the age of 21 years;
6. Adds an increased penalty of a 180-day license suspension for drivers under 21 years of age who operate a vehicle with passengers under 21 years of age while under the influence;

7. Adds an increased penalty of a 275-day license suspension for persons who appear to be operating a motor vehicle under the influence with passengers under 21 years of age and who refuse to submit to an OUI test; and
8. Adds an increase from one year to 2 years of the term for which a provisional license is issued to new drivers under 21 years of age with respect to moving violations. With respect to operating under the influence, the provisional license will continue to remain in effect until the driver is 21 years of age.
9. It also allows a work-restricted license to be issued to a person who violates a juvenile provisional license by operating a vehicle with any level of blood alcohol, but only if the violation is a first offense. Current law allows the work-restricted license but does not specify the violation to be a first offense.

LD 2115

**An Act to Allow the Department of Transportation to Provide
Privately Contracted Ferry Services**

**PUBLIC 612
EMERGENCY**

Sponsor(s)
GOLDTHWAIT
JONES K

Committee Report
OTP-AM

Amendments Adopted
S-496

LD 2115 proposed to authorize the Department of Transportation to carry out its responsibilities with respect to the Maine State Ferry Service by providing additional or substitute service with privately contracted vessels.

Committee Amendment "A" (S-496) proposed to add a provision to the original bill that specifies the Department of Transportation may use privately contracted vessels to provide Maine State Ferry Service during periods of facility repair or maintenance or during periods of extraordinary demand. The amendment also proposed to provide that use of private vessels must be in accordance with an agreement between the department and the State's collective bargaining agent. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 612 authorizes the Department of Transportation to carry out its responsibilities with respect to the Maine State Ferry Service by providing additional or substitute service with privately contracted vessels during periods of facility repair or maintenance or during periods of extraordinary demand. The law also provides that use of private vessels must be in accordance with an agreement between the department and the State's collective bargaining agent. Chapter 612 was enacted as an emergency measure effective March 23, 1998.

LD 2123

**Resolve, Relating to Commercial Vehicle Fee Reciprocity with New
Brunswick**

ONTF

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESMOND	OTP-AM MAJ	
PARADIS	ONTP MIN	

LD 2123 proposed to authorize the Commissioner of Transportation to set the entrance fee for a commercial vehicle to Maine from New Brunswick, Canada at the same level as the fee charged by New Brunswick for a vehicle to enter New Brunswick from Maine.

Committee Amendment "A" (H-920) proposed to require the Secretary of State to set the fee required under the resolve. The resolve originally required the Commissioner of Transportation to set the fee.

LD 2144 **An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 1999** **P & S 77**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-871
	ONTP MIN	H-896 DRISCOLL

LD 2144 proposed to make allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 1999 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "A" (H-871) proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-896) proposed to replace the fiscal note on the committee amendment to make technical corrections.

Enacted law summary

Private and Special Law 1997, chapter 77 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 1999 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

LD 2149 **An Act to Implement the Recommendations of the Working Group on Motor Vehicle Fines, Enforcement and Reimbursement and to Change Certain Provisions of the Tax Relief Funds** **PUBLIC 750**

Sponsor(s)
LEMONT

Committee Report
OTP-AM

Amendments Adopted
H-926
S-759 MICHAUD

LD 2149 proposed to addresses reimbursement for municipal and county law enforcement agencies whose officers are required to be present in District Court as well as the moratorium on local traffic ordinances enacted in Public Law 1997, chapter 392.

The bill proposed to repeal the Maine Revised Statutes, Title 4, section 173, subsection 4, under which municipal law enforcement officers are paid \$10 by the State for each day or part of a day they are required to appear in District Court. The bill proposed to increase the reimbursement to \$40 a day, clarify that the reimbursement is paid to the municipality and clarify that the reimbursement is \$40 regardless of whether the officer is appearing during regular working hours, while off duty or while working overtime.

The bill proposed to create a separate fund out of which the Administrative Office of the Courts would pay the reimbursements to the municipalities and counties. Eight percent of all traffic infraction revenue would be deposited in the fund. At the end of each fiscal year, any balance remaining in the fund would be transferred to the General Fund.

The bill would repeal the sunset on the new law prohibiting municipalities from adopting ordinances that are the same as or conflict with the state laws governing speed and other traffic control limits. The bill would make the explicit prohibition permanent.

Committee Amendment "A" (H-926) would provide for the payment of the \$40 flat fee for each day a county law enforcement officer, designated by that officer's county, serves as the court officer to handle the county's case load before the court. The amendment also proposed to change the original bill by increasing from 8% to 9 1/2% the amount of revenue from traffic infraction fines that accrues to the Law Enforcement Agency Reimbursement Fund and reduces from 13% to 3.5% the amount of revenue from traffic infraction fines that accrues to the General Fund. The amendment proposed to keep in effect current provisions regarding the accrual of fines and forfeitures related to certain violations that are not traffic infractions.

The amendment also proposed to add a fiscal note to the bill.

Senate Amendment "B" to Committee Amendment "A" (S-759) proposed to reduce the reimbursement of municipal and county law enforcement officers who serve as court officers and witnesses from \$40 per day to \$25 per day. This amendment also proposed to reduce from 9 1/2% to 6 % the amount of revenue from traffic infraction fines that accrues to the Law Enforcement Agency Reimbursement Fund and increase from 3 1/2% to 7% the amount of revenue from traffic infraction fines that accrues to the General Fund.

The amendment also proposed to transfer the estimated remaining balance in the Tobacco Tax Relief Fund into the General Fund no later than December 31, 1998.

It also proposed to amend Public Law 1997, chapter 643, Part S to move up the transfer of funds from the Tax Relief Fund for Maine Residents and the Tobacco Tax Relief Fund from the end of fiscal year 1998-99 to no later than December 31, 1998.

It also proposed to amend Public Law 1997, chapter 643, Part T to move up the repeal of the Tax Relief Fund for Maine Residents and the Tobacco Tax Relief Fund from June 30, 1999 to December 31, 1998.

This amendment also proposed to add a fiscal note.

Enacted law summary

Public Law 1997, chapter 750 increases the state reimbursement of municipal law enforcement officers for each day or part of a day they are required to appear in District Court from \$10 to \$25 a day, clarify that the reimbursement is paid to the municipality and clarify that the reimbursement is \$25 regardless of whether the officer is appearing during regular working hours, while off duty or while working overtime. The law also provides for the payment of the \$25 flat fee for each day a county law enforcement officer, designated by that officer's county, serves as the court officer to handle the county's case load before the court.

The bill creates a separate fund out of which the Administrative Office of the Courts pays the reimbursements to the municipalities and counties. Six percent of all traffic infraction revenue would be deposited in the fund.

It makes permanent the prohibition in Public Law 1997, chapter 392 on municipalities adopting ordinances that are the same as or conflict with the state laws governing speed and other traffic control limits.

The amendment transfers the estimated remaining balance in the Tobacco Tax Relief Fund into the General Fund no later than December 31, 1998.

It also amends Public Law 1997, chapter 643, Part S to move up the transfer of funds from the Tax Relief Fund for Maine Residents and the Tobacco Tax Relief Fund from the end of fiscal year 1998-99 to no later than December 31, 1998.

It also amends Public Law 1997, chapter 643, Part T to move up the repeal of the Tax Relief Fund for Maine Residents and the Tobacco Tax Relief Fund from June 30, 1999 to December 31, 1998.

LD 2150

An Act to Create a Maine Children's Trust Fund Registration Plate

ONTP

Sponsor(s)
KONTOS

Committee Report
ONTP

Amendments Adopted

LD 2150 proposed to authorize a children's trust motor vehicle registration plate, with revenues, after administrative costs, to be paid to the Maine Children's Trust Incorporated for programs to prevent child abuse and neglect.

LD 2164

Resolve, to Enhance the Economy and Tourism Industry in Hancock County and Western Washington County by Requiring the Implementation of the Biennial Transportation Improvement Program Regarding Shared Use of the Calais Branch Rail Line

ONTP

<u>Sponsor(s)</u> POVICH RUHLIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2164 proposed to direct the Department of Transportation to implement those portions of its biennial transportation program covering the shared use of the Calais branch rail line from Brewer to Harrington in time for the 1999 tourist season.

LD 2187 **Resolve, to Name the New Bridge on Route 157 in Medway the Harold C. Beathem Bridge** **RESOLVE 97**

<u>Sponsor(s)</u> MICHAUD STANLEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-495
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LD 2187 proposed to name the new Route 157 bridge in Medway the Harold C. Beathem Bridge.

Committee Amendment "A" (S-495) proposed to change the title of the resolve to specify the bridge being named. The amendment also proposed to note that Harold C. Beathem was a respected community leader from Medway. The amendment also proposed to add a fiscal note to the resolve.

Enacted law summary

Resolve 1997, chapter 97 names the new Route 157 bridge in Medway the Harold C. Beathem Bridge in memory of a respected community leader from Medway.

LD 2188 **Resolve, to Name the Bridge on Route 236 the Jeffrey Curley Bridge** **ONTP**

<u>Sponsor(s)</u> WRIGHT LAWRENCE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2188 proposed to require the bridge over the Great Works River in South Berwick be known as the Jeffrey Curley Bridge.

LD 2193 **An Act to Allow Tow Trucks on Posted Roads** **ONTP**

Sponsor(s)
MITCHELL E
O'GARA

Committee Report
ONTP

Amendments Adopted

LD 2193 proposed to exempt tow trucks from the restriction against travel by certain vehicles over roads that are posted against such vehicles by the Department of Transportation. The exemption would apply only if the tow truck is aiding a vehicle that has broken down on the posted road or on property that is contiguous to the posted road.

LD 2195

**An Act Concerning Enforcement of Parking Spaces for Persons
with Physical Disabilities**

PUBLIC 673

Sponsor(s)
MURRAY

Committee Report
OTP-AM

Amendments Adopted
H-961 THOMPSON
S-538

LD 2195 proposed several changes to the handicapped parking laws. The proposal were:

1. Replace the term "handicapped parking" by the term "parking spaces designated for persons with a physical disability" or "designated parking spaces";
2. Specify the design of designated parking spaces, access aisles, curbs, signs and road gradings and apply that design to all parking lots to which the public has access. All designated parking spaces would be required to be in compliance with the bill within one year of the effective date of the bill;
3. Require placards and vehicle registrations to contain the driver's license number or state identification number of the person with a physical disability. The bill also would have repealed the fee for placards;
4. Repeal the current county and municipal volunteer parking enforcement programs. The bill would have required the Commissioner of Public Safety to develop a statewide program of county volunteer parking enforcement specialists, headed by the Director of Parking Enforcement;
5. Require vehicles parking in a designated parking space to display the placard or disability registration plates;
6. Increase the minimum amount of a ticket issued for parking unlawfully in a designated parking space from \$100 to \$250;
7. Require a person with a physical disability to exit the vehicle if the vehicle is parked in a designated parking space;
8. Make the owner of a vehicle cited for illegally parking in a designated parking space liable for payment of the citation, except that the person could rebut the presumption by providing specified documentation. The owner of a vehicle cited or another person could request a hearing to determine guilt. If the person failed to request a hearing, or requests a hearing and is adjudged guilty, that person would waive the ability to pay the minimum amount as stated on the ticket. Instead, the person would be assessed a forfeiture of between \$250 and \$500 plus court costs;

10. Subject a physician who willfully signs a fraudulent application form used to obtain designated parking space privileges to a \$500 forfeiture;
11. Subject a person to additional forfeitures if the person commits multiple violations or refuses to pay the required fine. The Secretary of State would be required to reject the driver's license or vehicle registration renewal application of a person who failed to make the required payment; and
12. Distribute revenue created by violations of the provisions of the Maine Revised Statutes, Title 29-A, section 521, subsection 8 or Title 30-A, chapter 1, subchapter VI, article 9-A between the municipality enforcing these provisions and the Department of Public Safety, with the department receiving 25% to be used for the administration of this bill, including the compensation of the position of Director of Parking Enforcement as created by this bill.

Committee Amendment "A" (S-538) proposed to strike all the provisions of the bill and provide that local or county law enforcement agencies could enforce handicapped parking restrictions on private off-street parking areas.

House Amendment "A" "to Committee Amendment "A" (H-961) proposed to repeal a provision of law under which a person commits a traffic infraction if the person does not have a disability and uses a vehicle with disability registration plates or a windshield placard.

Enacted law summary

Public Law 1997, chapter 673 provides that local or county law enforcement agencies may enforce handicapped parking restrictions on private off-street parking areas. It also repeals a provision of law under which a person commits a traffic infraction if the person does not have a disability and uses a vehicle with disability registration plates or a windshield placard.

LD 2199

An Act to Make Supplemental Allocations from the Highway Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999

**PUBLIC 674
EMERGENCY**

Sponsor(s)
DRISCOLL
O'GARA

Committee Report
OTP-AM

Amendments Adopted
H-1058

LD 2199 proposed to do the following.

Part A:

1. Make supplemental allocations from the Highway Fund;
2. Make supplemental allocations from the Federal Expenditures Fund; and
3. Make supplemental allocations from Other Special Revenue funds.

Part B:

1. Make allocations from the Highway Fund for approved reclassifications and range changes; and
2. Make allocations from the Highway Fund as reductions to support approved reclassifications and range changes.

Part C:

1. Repeal the law that requires the transfer of funds from the Collector Road Program within the Department of Transportation to the Highway Fund as undedicated revenue;
2. Authorize the Department of Transportation to enter into lease-purchase contracts for the procurement of vehicles or equipment;
3. Lapse funds to the Highway Fund in fiscal year 1997-98;
4. Authorize the transfer of funds between all Highway Fund programs within the Department of Transportation; and
5. Require that the interest on money in the Special Revenue-Suspense Account be used for the purposes of that account.

Part D:

1. Require that interest earned by the Collector Road Improvement Fund be retained by the fund and made available for distribution in subsequent program years.

Committee Amendment "A" (H-1058) proposed to do the following.

Part A:

1. Make supplemental Highway Fund allocations and deallocations;
2. Make supplemental Federal Expenditures Fund allocations and deallocations;
3. Make supplemental Other Special Revenue allocations.

Part B:

1. Make Highway Fund allocations and deallocations to fund reclassifications.

Part C:

1. Repeal the law that transfers \$200,000 in fiscal year 1997-98 and \$300,000 in fiscal year 1998-99 from the Collector Road Program within the Department of Transportation to the Highway Fund as undedicated revenue;
2. Authorize the Department of Transportation to enter into lease-purchase agreements for the procurement of engineering vehicles or equipment;

3. Authorize the Department of Transportation to enter into lease-purchase agreements for the procurement of vehicles or equipment;
4. Lapse \$98,558 in fiscal year 1997-98 to the Highway Fund from the Statewide - Retiree Health Account;
5. Authorize the transfer of Personal Services savings between all Highway Fund programs within the Department of Transportation to cover any nonrecurring program costs;
6. Authorize the transfer of up to 75% from the balance remaining in the Highway Fund at the end of fiscal year 1997-98 to the Department of Transportation's Highway and Bridge Improvement Program; and
7. Authorize the Secretary of State to establish project positions by financial order.

Part D:

1. Make Supplemental Highway Fund allocations and deallocations;
2. Make supplemental Federal Expenditures Fund allocations; and
3. Make supplemental Other Special Revenue allocations.

Part E:

1. Make Highway Fund allocations and deallocations; and
2. Make Federal Expenditures Fund allocations and deallocations.

Enacted law summary

Public Law 1997, chapter 674 does the following.

Part A:

1. Makes supplemental Highway Fund allocations and deallocations;
2. Makes supplemental Federal Expenditures Fund allocations and deallocations;
3. Makes supplemental Other Special Revenue allocations.

Part B:

1. Makes Highway Fund allocations and deallocations to fund reclassifications.

Part C:

1. Repeals the law that transfers \$200,000 in fiscal year 1997-98 and \$300,000 in fiscal year 1998-99 from the Collector Road Program within the Department of Transportation to the Highway Fund as undedicated revenue;
2. Authorizes the Department of Transportation to enter into lease-purchase agreements for the procurement of engineering vehicles or equipment;
3. Authorizes the Department of Transportation to enter into lease-purchase agreements for the procurement of vehicles or equipment;
4. Lapses \$98,558 in fiscal year 1997-98 to the Highway Fund from the Statewide - Retiree Health Account;
5. Authorizes the transfer of Personal Services savings between all Highway Fund programs within the Department of Transportation to cover any nonrecurring program costs;
6. Authorizes the transfer of up to 75% from the balance remaining in the Highway Fund at the end of fiscal year 1997-98 to the Department of Transportation's Highway and Bridge Improvement Program; and
7. Authorizes the Secretary of State to establish project positions by financial order.

Part D:

1. Makes Supplemental Highway Fund allocations and deallocations;
2. Makes supplemental Federal Expenditures Fund allocations; and
3. Makes supplemental Other Special Revenue allocations.

Part E:

1. Makes Highway Fund allocations and deallocations; and
2. Makes Federal Expenditures Fund allocations and deallocations.

Chapter 674 was enacted as an emergency measure effective April 2, 1998.

LD 2255

An Act to Allow a Public Utility Emergency Service Vehicle to Use a Siren and Red Light When Responding to an Emergency

ONTP

Sponsor(s)
USHER
O'GARA

Committee Report
ONTP

Amendments Adopted

LD 2255 proposed to allow a public utility emergency service vehicle to use a siren and red light. It also proposed to subject a public utility emergency service vehicle to the same laws regarding right-of-way as other authorized emergency vehicles.